



MEMORANDUM

TO: Alternative Education Contact

FROM: Sue Foxx, Specialist
Division of Student Learning Choices

DATE: April 30, 2008

SUBJECT: Article 7, Special Education

The Indiana State Board of Education has begun the rule promulgation process to adopt new rules for Special Education programs consistent with the reauthorized Individuals with Disabilities Education Act. Currently they are holding hearings and accepting testimony. Electronic comments may be submitted at www.doe.in.gov/exceptional/article7/comment-article7.html. A special web site at www.doe.in.gov/exceptional/article7 has a short video introduction to the rule revision process, the proposed rule language and brief explanations of some of the major changes being made to Article 7. It is expected that the Indiana State Board of Education will vote on the rule at the June 4, 2008, State Board meeting. The part of Article 7 that affects alternative education is cited below. A representative of the alternative school/program must be involved in the case conference when placement at the alternative school/program is being considered. This is consistent with guidance in an earlier memo reminding programs that special education students cannot opt out of special education services in order to attend an alternative program/school or attend if needed services are not available. Having an alternative education representative participate in the case conference should insure that only special education students that the program can serve appropriately attend the alternative program/school.

511 IAC 7-42-3 Case conference committee participants[\[idae\]](http://www.doe.in.gov/511iac)

Sec. 3.

(c) The public agency must ensure the participation in the case conference committee of additional individuals in the following circumstances:

(2) When a purpose of the meeting is to develop, review, or revise the individualized education program for a student to be enrolled or currently enrolled in an alternative school or alternative education program under IC 20-30-8, a representative of the alternative school or alternative education program who is authorized to make a recommendation regarding admission to the school and authorized to commit resources.